



1m AF
Docket No. 72242-AB/JPW/GJG/LCM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Allan Green et al.
Serial No.: 09/981,124 Examiner: E. McElwain
Filed : October 17, 2001 Group Art Unit: 1638
For : FATTY ACID EPOXYGENASE GENES FROM PLANTS AND USES
THEREFOR IN MODIFYING FATTY ACID METABOLISM

30 Rockefeller Plaza
20th Floor
New York, New York 10112
January 9, 2009

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION
TO THE BOARD OF PATENT APPEALS AND INTERFERENCE**

Applicants hereby appeal to the Board from the decision of the Examiner mailed July 9, 2008 finally rejecting pending claims 41-43 and 50-67 in connection with the above-identified application. The required fee for filing a Notice of Appeal under 37 C.F.R. § 1.17(b) is FIVE HUNDRED AND FORTY DOLLARS (\$540.00) and a check for this amount is enclosed. Applicants are concurrently filing a Petition for a Third Month Extension of Time, making the subject application pending today.

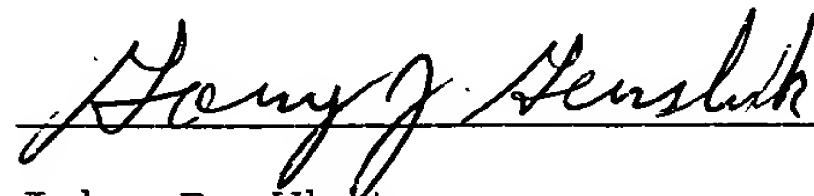
01/12/2009 NNGUYEN1 00000033 09981124
01 FC:1401

540.00 OP

Applicants : Allan Green et al.
Serial No. : 09/981,124
Filed : October 17, 2001
Page 2 of 2: Notice of Appeal

No fee, other than the enclosed fee of \$540.00, is deemed necessary in connection with the filing of this Notice. However, if any fee is required authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

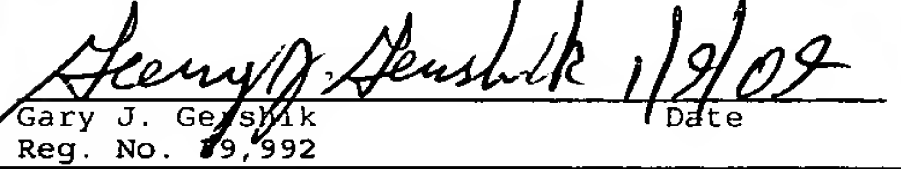
Respectfully submitted,



John P. White
Registration No. 28,678
Gary J. Gershik
Registration No. 39,992
Attorneys for Applicants
Cooper & Dunham LLP (Customer #23432)
30 Rockefeller Plaza
20th Floor
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited on this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Gary J. Gershik
Reg. No. 39,992
Date